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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TIFFANY HEDGEPEETH, an individual,

Plaintiff,

v.

MEIBORG BROS, INC., an Illinois
Corporation; MEIBORG, INC., an Illinois
Corporation; JAMES RAY COX, an
individual; DOES I through X, inclusive;
ROE BUSINESS ENTITIES I through X,
inclusive,

Defendants.

CASE NO.: 2:24-cv-00045-CDS-MDC

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
AND PRE-TRIAL DEADLINES (FIFTH
REQUEST – RESUBMITTED
PURSUANT TO THE COURT’S
MINUTE ORDER DENYING THE
REQUEST WITHOUT PREJUDICE)**

In accordance with Local Rules of Practice for the United States District Court for the District of Nevada LR 26-3, Plaintiff, TIFFANY HEDGEPEETH, by and through her attorneys, Robert T. Eglet, Esq., Tracy A. Eglet, Esq., Andrew Guzik, Esq., and Ashley B. Gugino, Esq., of the law firm of EGLET LAW; and Defendants, MEIBORG BROS, INC., MEIBORG, INC. and JAMES RAY COX, by and through their attorneys, Mark R. Smith, Esq. and Robert L. Thompson, Esq., of the law firm of RESNICK & LOUIS, P.C., hereby stipulate and agree to an extension of all discovery and pre-trial deadlines by ninety (90) days. The parties propose the following revised discovery plan.

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I. DISCOVERY COMPLETED

On January 5, 2024, Defendants removed this case to Federal Court.

1. On February 2, 2024, the parties attended the FRCP 26(f) discovery conference.

2. Plaintiff served her Initial Disclosures on February 15, 2024.

3. Defendant produced their Initial Disclosures on February 16, 2024.

4. Defendant Meiborg Bros, Inc. served its First Set of Interrogatories, Requests for Production and Requests for Admission to Plaintiff on February 16, 2024.

5. Plaintiff served her First Set of Interrogatories, Requests for Production and Requests for Admission to Defendant James Ray Cox on February 20, 2024.

6. Plaintiff served her First Set of Interrogatories, Requests for Production and Requests for Admission to Defendant Meiborg Bros, Inc. on February 20, 2024.

7. Plaintiff served her First Set of Interrogatories, Requests for Production and Requests for Admission on Defendant Meiborg, Inc. on February 20, 2024.

8. Plaintiff served her first supplemental disclosures on March 22, 2024.

9. Plaintiff served responses to Defendant Meiborg Bros, Inc.'s First Set of Interrogatories and Requests for Admissions on April 5, 2024.

10. Plaintiff served her second supplemental disclosures on June 11, 2024.

11. Plaintiff served her third supplemental disclosures on July 2, 2024.

12. Plaintiff served her responses to Defendant Meiborg Bros, Inc.'s First Set of Requests for Production of Documents on Jul 10, 2024.

13. Plaintiff served her fourth supplemental disclosures on July 18, 2024.

14. Plaintiff served her second requests for production of documents to Defendants Meiborg Bros, Inc. and Meiborg, Inc. on August 8, 2024.

15. Defendant served their first supplemental disclosures on August 29, 2024.

16. Defendant served their second supplemental disclosures on September 6, 2024.

17. Defendant James Ray Cox served his responses to Plaintiff's first set of requests for production of documents on September 6, 2024.

1 18. Defendants Meiborg, Inc. and Meiborg Bros, Inc. served their responses to
2 Plaintiff's first set of requests for production of documents on September 6, 2024.

3 19. Defendant James Ray Cox served his responses to Plaintiff's first set of requests
4 for admission and interrogatories on September 9, 2024.

5 20. Defendants Meiborg, Inc. and Meiborg Bros, Inc. served their responses to
6 Plaintiff's first set of requests for admissions and interrogatories on September 11, 2024.

7 21. Defendants served their third supplemental disclosures on September 25, 2024.

8 22. Defendants served their fourth supplemental disclosures on October 9, 2024.

9 23. Plaintiff underwent the FRCP Rule 35 Examination on October 18, 2024.

10 24. Defendant Meiborg, Inc. served their responses to Plaintiff's second set of
11 requests for production of documents on December 2, 2024.

12 25. Defendant James Ray Cox was deposed on December 10, 2024.

13 26. Defendants served their fifth supplemental disclosures on December 16, 2024.

14 27. Defendants served their sixth supplemental disclosures on December 23, 2024.

15 28. Plaintiff served her Amended Response to Defendant Meiborg Inc.'s First Set of
16 Interrogatories on January 7, 2025.

17 29. Plaintiff served her Third Set of Requests for Production of Documents to
18 Defendants James Ray Cox, Meiborg, Inc., and Meiborg Bros, Inc. on January 30, 2025.

19 30. Eyewitness Jennifer K. Smith was deposed on February 11, 2025.

20 31. Plaintiff served her fifth supplemental disclosures on February 13, 2025.

21 32. Defendant James Ray Cox served his Responses to Plaintiff's Second Set of
22 Interrogatories and Requests for Production of Documents on March 3, 2025.

23 33. Plaintiff served her sixth supplemental disclosures on March 11, 2025.

24 34. Defendant served their seventh supplemental disclosures on March 26, 2025.

25 35. Plaintiff's deposition was conducted on April 11, 2025.

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1 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

2 The parties believe the following discovery remains to be completed:

- 3 1. Obtain updated medical and billing records from Plaintiff's providers;
- 4 2. Additional written discovery requests to Defendants;
- 5 3. The deposition of Defendant Meiborg Bros, Inc.'s FRCP 30(b)(6) Designee(s);
- 6 4. The deposition of Defendant Meiborg, Inc.'s FRCP 30(b)(6) Designee(s);
- 7 5. Depositions of Plaintiff's treating medical providers;
- 8 6. Any other party and witness depositions;
- 9 7. Subpoena duces tecum to third parties;
- 10 8. Designations of Initial and Rebuttal Expert Witnesses;
- 11 9. Depositions of Expert Witnesses; and
- 12 10. Additional discovery as the parties deem necessary.

13 **III. REASONS WHY DISCOVERY WAS NOT COMPLETED PRIOR TO**
 14 **THE CUT-OFF**

15 Defendant Cox testified during his deposition that he was employed by Silver Arrow
 16 Express at the time of the collision, a company not named in this lawsuit but believed to be a
 17 subsidiary of Meiborg, Inc. Following this testimony, Plaintiff's counsel sought clarification
 18 regarding the relationship between Meiborg Bros., Inc., Meiborg, Inc., and Silver Arrow Express.
 19 Plaintiff believes that Silver Arrow Express might be a separate legal entity from Meiborg Bros.,
 20 Inc. and Meiborg, Inc., while Defendant maintains that Silver Arrow Express is a d/b/a of
 21 Meiborg, Inc. The parties are attempting to resolve this issue with finality via some discovery in
 22 order to ensure that all the proper parties are involved in the case.

23 Plaintiff initially requested a limited 30(b)(6) deposition of Meiborg to address this
 24 specific issue. However, there was a delay in determining whether Defendants would agree to
 25 such a deposition due to management changes, including the departure of the safety manager
 26 responsible for overseeing safety for Meiborg, Inc. and serving as Defendants' discovery point of
 27 contact. The parties are continuing to communicate regarding the 30(b)(6) topics.

1 In addition, Plaintiff's deposition was conducted on April 11, 2025. During the
2 deposition, Plaintiff indicated she may undergo future treatment, including possible injections. It
3 is imperative Defendants obtain any records associated with this prospective treatment in order
4 to adequately prepare expert witness disclosures and opinions.

5 Moreover, the parties have agreed to mediation, which is currently scheduled for August
6 5, 2025, with Judge Jennifer Togliatti (RET). In the event this matter is not resolved at mediation,
7 additional time would be necessary to afford the parties the opportunity to designate experts in a
8 timely manner.

9 The parties believe a ninety (90) day extension of discovery deadlines is necessary and
10 reasonable to allow the completion of the aforementioned discovery, at minimum. This extension
11 would also permit the parties' experts time to review pertinent materials in preparation of reports
12 required to be disclosed under FRCP 26(a)(2)(b).

13 The parties respectfully submit that the reasons set forth above constitute good cause for
14 this extension. This request is made in good faith, and not for the purpose of delay.

15 **IV. GOOD CAUSE FOR EXTENSION**

16 Good cause exists for this extension under Local Rule 26-3. The parties have continued
17 to act diligently; however, despite their best efforts, discovery could not be completed within the
18 existing deadlines. As outlined above, the parties have conducted extensive discovery and have
19 acted with due diligence in pursuing the necessary depositions, written discovery, and document
20 production. However, the following unforeseen circumstances have contributed to unavoidable
21 delays:

22 **1. Plaintiff's Ongoing Medical Treatment** – At her April 12, 2025, deposition, Plaintiff
23 indicated she was considering additional medical treatment, including possible injections. In
24 response, Defendant is serving follow-up requests to her medical providers. Defendant is also in
25 the process of making additional records requests relating to some of Plaintiff's medical history.
26 This ongoing process will directly affect expert witness evaluations and necessitates the requested
27 extension of the discovery deadlines.
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1 **2. Mediation** – The parties agreed to mediate this case, and the earliest available date for
 2 the agreed upon mediator, Judge Jennifer Togliatti, Esq. (RET), is August 5, 2025.

3 These issues are not the result of a lack of diligence but rather circumstances outside the
 4 parties' control. Given these challenges, an extension of discovery is warranted to ensure the case
 5 is properly prepared before trial. The requested extension is necessary to complete critical
 6 depositions, resolve remaining discovery issues, allow thorough expert disclosures, and let the
 7 parties seek alternative case resolution through mediation.

8 **V. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**
 9 **DISCOVERY**

Description	Current Date	Proposed Date
Amend Pleadings and Add Parties	May 12, 2025	May 12, 2025 (no extension)
Initial Expert Disclosures	June 12, 2025	September 10, 2025
Rebuttal Expert Disclosures	July 12, 2025	October 10, 2025
Close of Discovery	August 11, 2025	November 7, 2025
Dispositive Motions	September 11, 2025	December 10, 2025
Joint Pretrial Order	October 10, 2025	January 8, 2026

18 **VI. STATEMENT REGARDING EXCUSABLE NEGLECT**

19 The parties previously submitted a stipulation on May 29, 2025, seeking to extend
 20 discovery deadlines, including the deadline to amend pleadings and add parties. (See ECF No. 44.)
 21 The Court denied that stipulation without prejudice because it was submitted after the expiration
 22 of the amendment deadline and failed to include a statement of excusable neglect as required by
 23 LR IA 6-1(a). (ECF No. 45.) This amended stipulation does not seek to extend the amendment
 24 deadline and instead requests only an extension of the remaining discovery deadlines.

25 The remaining discovery deadlines had not lapsed prior to the time of the parties' initial
 26 submission of the stipulation. However, since the initial submission, the deadline for initial expert
 27 disclosures has passed. The delay in resubmitting the stipulation prior to the expiration of that
 28

1 deadline resulted from internal miscommunication between counsel and was not intentional.
2 Plaintiff's counsel was out of the country when the Court issued its Minute Order on May 30,
3 2025, and did not immediately respond to defense counsel's request for clarification regarding
4 how to revise the stipulation. The parties have conferred and agree that the short delay in serving
5 initial expert disclosures will not result in prejudice to either side. Subject to the Court's approval
6 of this stipulation, both parties have agreed to accept expert disclosures served in accordance with
7 the proposed revised schedule. Although the initial expert disclosure deadline of June 12, 2025,
8 has passed, the parties have mutually agreed that the short delay will not prejudice either side.

9 No party will suffer prejudice from the requested extension. The length of delay is minimal,
10 and the revised deadlines remain well in advance of the scheduled mediation on August 5, 2025.
11 The parties submit this revised stipulation in good faith and respectfully request that the Court
12 grant the requested extensions to allow the completion of expert disclosures, remaining
13 depositions, and other outstanding discovery.

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1 The Parties agree that this request for extension of discovery and pre-trial deadlines is made
2 by the parties in good faith and not for the purpose of delay.

3 **IT IS SO STIPULATED.**

4 DATED this 13th day of June 2025.

DATED this 13th day of June 2025.

5 **RESNICK & LOUIS, P.C.**

EGLET LAW

6 */s/ Robert L. Thompson*

/s/ Andrew Guzik

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15 *Tiffany Hedgepeth*

Hedgepeth v. Meiborg Bros., Inc., et. al.

Case No.: 2-24-CV-00045-DCS-MDC

Amended Stipulation and [Proposed] Order to Extend Discovery Deadlines and Pre-Trial Deadlines (5th Request)

ORDER

Based upon the foregoing stipulation of counsel and good cause appearing, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. The discovery cut-off shall be **Friday, November 7, 2025.**

2. **FRCP 26(4)(2) Disclosure (Experts).** The last day to disclose expert witnesses shall be 60 days before the discovery cut-off date. In this action, the last date to disclose experts shall be **Wednesday, September 10, 2025.** The date for the disclosure of rebuttal expert witnesses shall be 30 days after the initial disclosure of experts. In this action, the last date to disclose rebuttal experts shall be **Friday, October 10, 2025.**

3. **Dispositive Motions.** The last date to file dispositive motions shall not be later than 30 days after the discovery cut-off date. In this action, the last date to file dispositive motions shall be **Wednesday, December 10, 2025.**

4. **Joint Pretrial order.** The joint Pretrial Order shall be filed no later than 30 days after the date set for filing dispositive motions. In this action, the joint pretrial order shall be filed on or before **Thursday, January 8, 2026.**

6. **FRCP 26(a)(3) Disclosures.** The disclosures required by FRCP 26(a)(3) and any objections thereto shall be included in the Joint Pretrial Order.

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: 6-20-25